

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ELAINE M. COLEY,

Plaintiff,

v.

ALABAMA MEDICAID AGENCY,

Defendant.

CASE NO: 2:06cv378-WKW

**DEFENDANT ALABAMA MEDICAID AGENCY'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the *Federal Rules of Civil Procedure* Defendant Alabama Medicaid Agency ("Medicaid") respectfully moves for summary judgment in its favor on all counts alleged in the Complaint. Medicaid shows unto the Court that there are no genuine issues of material fact and that Medicaid is entitled to judgment as a matter of law. In support of this Motion, Medicaid relies on Medicaid's Evidentiary Submission and Medicaid's Memorandum of Law, which are being filed contemporaneously herewith.

WHEREFORE, PREMISES CONSIDERED, Medicaid respectfully requests that this Honorable Court will enter summary judgment in its favor and against the Plaintiff on all of the claims set forth in the Plaintiff's Complaint.

Dated: March 22, 2007.

s/Amanda C. Carter

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CERTIFICATE OF SERVICE

I do hereby certify that on this the 22nd day of March 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and that I mailed a copy of the foregoing to the Plaintiff, properly addressed and first class postage prepaid.

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